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EXAMINER

ANYA, CHARLES E

ART UNIT PAPER NUMBER

2126

DATE MAILED: 12/12/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/731,690

Applicant(s)

PORKKA, JOSEPH A.

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 . 6) ☐ Other: _____

DETAILED ACTION

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 2 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Particularly the specification does not reasonably convey how the phrase "without inter-thread explicitly invoking the inter-process or message passing services of the computer's operating system from within the block of source code" is implemented.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 3 and 5 – 7 are rejected under 35 U.S.C. 102() as being anticipated by U.S. Pat. No. 6,029,205 to Alfness et al.

As to claim 1, Alferness teaches computer-implemented method for passing a message from a first thread of execution to a second thread of execution, the first thread being adapted to interpret a block of source code, the second thread having a queue for holding messages (“...copying of messages between processes...” Col. 7 Ln. 9 – 44), the method comprising: placing, a reference (“...event indicator...” Col. 4 Ln. 1 – 30, “...by reference...event...” Col. 7 Ln. 31 – 44) to the message in the queue of the second thread without inter-thread explicitly invoking the inter-process or message passing services of the computer’s operating system from within the block of source code (“...eliminates...” Col. 7 Ln. 12 – 30) and the reference is usable by the second thread to access the message (“...dequeue...” Col. 4 Ln. 13 – 30, “...event...” Col. 7 Ln. 31 – 44).

As to claims 2 and 3, see the rejection of claim 1.

As to claim 5, Alferness teaches sending a signal to the second thread to indicate that a message has been sent to it (“...event is an indication...” Col. 7 Ln. 41 – 44).

As to claim 6, Alferness teaches the signal as being sent via a platform independent object (“...operating system...” Col. 7 Ln. 1 – 9).

As to claim 7, see the rejection of claim 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,029,205 to Alferness et al. in view of U.S. Pat. No. 5,848,234 to Chernick et al.

As to claim 4, Alferness is silent with reference to passing a reference to a first thread's queue to a second thread so that the second thread could use the reference to send a message to the first thread.

Chernick teaches passing a reference to a first thread's queue to a second thread so that the second thread could use the reference to send a message to the first thread ("...A pointer..." Col. 13 Ln. 45 – 67, Col. 14 Ln. 1 – 3). It would have been obvious to apply the teaching of Chernick to the system of Alferness. One would have been motivated to make such a modification in order to identify a memory location assigned to a client object (Col. 13 Ln. 45 – 67).

Claims 8,9 and 11 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,029,205 to Alferness et al. in view of U.S. Pat.

No. 5,848,234 to Chernick et al. as applied to claim 1 above, further in view of U.S. Pat. No. 6,151,610 to Senn et al.

As to claim 8, claims 1 and 4 covers claim 8 except for using scripting threads for messaging passing.

Senn teaches using scripting threads for message passing (“...multiple threaded script interpreter... Col. 27 Ln. 15 – 39). It would have been obvious to apply the teaching of Senn to the system of Alferness. One would have been motivated to make such a modification in order to asynchronously request for messages from a repository (Col. 27 Ln. 15 – 39).

As to claim 9, see the rejection of claim 8.

As to claim 11, see the rejection of claim 1.

As to claim 12, Alferness teaches sending a signal from the first scripting thread to the second scripting thread to indicate to the second scripting thread that a new message has been sent to it (“...detects...” Col. 8 Ln. 30 – 36).

As to claim 13, Alferness is silent with reference to responding to the message by inserting a flag in the message object to indicate that it is being responded to and placing a reference to the message object in the queue of the first scripting thread (“...acknowledgement...” Col. 7 Ln. 21 – 37).

Chernick teaches responding to the message by inserting a flag in the message object to indicate that it is being responded to and placing a reference to the message object in the queue of the first scripting thread (“...acknowledgement...” Col. 7 Ln. 21 – 37). It

would have been obvious to apply the teaching of Chernick to the system of Alferness. One would have been motivated to make such a modification to acknowledge a receipt of a message (Col. 7 Ln. 21 – 37).

Claims 10 and 14 – 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,029,205 to Alferness et al. in view of U.S. Pat. No. 5,848,234 to Chernick et al. as applied to claim 1 above, further in view of U.S. Pat. No. 6,151,610 to Senn et al., and further in view of applicant's admitted prior art (Hereinafter referred to as APA page 11).

As to claim 14, claim 8 cover claim 14 except for compiling a program having a plurality of sections and creating a scripting thread for compiling each section. APA teaches compiling a program having a plurality of sections and creating a scripting thread for compiling each section (“...conventional compiling operation...” page 11 lines 15 – 20). It would have been obvious to apply the teaching of APA to the system of Alferness as modified. One would have been motivated to make such a modification to provide compilation operation to a user interface (page 11 lines 12 – 14).

As to claim 15, see the rejection of claim 14.

As to claim 16, Alferness is silent with reference to sending updates to a user interface at the control thread and processing commands from the user interface in parallel with asynchronously sending commands to the scripting threads.

Senn teaches sending updates to a user interface at the control thread and processing commands from the user interface in parallel with asynchronously sending commands to the scripting threads (“...data change...update...” Col. 14 Ln. 13 – 51, Col. 15 Ln. 43 – 67, Col. 16 Ln. 1 – 14, 46 – 67). It would have been obvious to apply the teaching of Senn to the system of Alferness as modified. One would have been motivated to make such a modification to keep the workspace on the screen consistent (Col. 14 Ln. 45 – 51).

As claim 17, see the rejection of claim 8.

As to claim 10, see the rejection of claim 17.

As to claim 18, see the rejection of claim 14.

As to claims 19,20,25 and 27, see the rejection of claim 16.

As to claim 21, see the rejection of claim 12.

As to claim 22, claim 12 covers claim 22 except for a script engine executing on the computer and the script engine interpreting scripting language commands for each of the plurality of scripting threads.

Senn teaches a script engine executing on the computer and the script engine interpreting scripting language commands for each of the plurality of scripting threads (Script Engine 146 Col. 14 Ln. 24 – 51, Col. 15 Ln. 63 – 67, Col. 1 – 14). It would have been obvious to apply the teaching of Senn to the system of Alferness as modified. One would have been motivated to make such a modification in order to perform script evaluation (Col. 14 Ln. 24 – 27).

As to claim 23, Alferness is silent with reference to a first computer, at least one second computer in communication with the first computer and at least one of the scripting threads executes on the second computer.

Senn teaches a first computer, at least one second computer in communication with the first computer and at least one of the scripting threads executes on the second computer (Client Device 1700, Repositories 1765, First User System 1800, Second User System 1845, LAN Controller 1825 Col. 21 Ln. 24 – 67). It would have been obvious to apply the teaching of Senn to the system of Alferness as modified. One would have been motivated to make such a modification in order to process information as documents (Col. 21 Ln. 50 – 51).

As to claim 24, see the rejection of claim 23.

As to claim 26, see the rejection of claims 14 and 23.

As to claim 28, see the rejection of claim 8.

As to claim 29, see the rejection of claims 8,12,14 and 22.

As to claim 30, see the rejection of claims 27 – 29.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

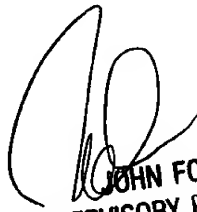
The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya

Examiner

Art Unit 2126


JOHN FOLLANSBEE
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